

REMARKS

Claims 1-25 are pending in the application. Claims 1, 11, and 19 have been amended and claims 10, 18, and 25 have been canceled, leaving claims 1-9, 11-17, and 19-24 for consideration upon entry of the present Amendment. Support for the amendment can be found in Figure 1 (see page 6, line 20 to page 7, line 10 of the Specification) and in Figure 9 (see page 15, lines 12-16 of the Specification). As will be discussed in detail below, it is believed that the application is in condition for allowance.

On March 18, 2002, Applicants submitted the priority document. Applicants request that the Examiner acknowledge receipt of the priority document for this application.

Claims 1-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 00/30338 in view of Manico et al. (US 6,373,551) ("Manico"). For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Claims 1, 11, and 19, as amended, include the following limitation: "wherein said device is a digital camera for rent." Neither WO 00/30338 nor Manico teach or suggest that limitation.

WO 00/30338 teaches that image data recorded on a storage module is transmitted to a server via the Internet; however, WO 00/30338 does not teach or suggest that the device is a digital camera for rent or that the digital camera for rent is provided to a user and returned by the user. Manico teaches that a film cartridge is stored in a single use camera and that the user sends the camera with the film or the film alone to a film processing laboratory in an envelope; however, as shown in step 240 of Figure 6 of Manico, the user purchases the film or the camera equipped with the film. Thus, the camera in Manico differs from the present invention in which a digital camera for rent is provided to a user and returned by the user. Manico does not teach or suggest the use of a digital camera, much less a digital camera dedicated to rental use.

Accordingly, WO 00/30338 and Manico do not teach or suggest all of the limitations of claims 1, 11, and 19. In addition because claims 2-9, 12-17, and 20-24 include all of the limitations of claims 1, 11, and 19, respectively, WO 00/30338 and Manico do not teach or suggest all of the limitations of those claims.

Moreover, it is not obvious to modify WO 00/30338 and Manico to include the limitation that the device is a digital camera for rent. Unlike single use cameras, which are relatively inexpensive, digital cameras tend to be relatively costly. The advantage of claims 1, 11, and 19 is that the digital camera is made available for rent and users are not required to purchase the digital camera. Additionally, because the rental camera is picked up and returned to a rental location, borrowers need not carry their own camera at all times. By providing a digital camera dedicated to rental use, return of the digital camera can be expected, and recording of image data stored in the digital camera on a server computer can be facilitated. Manico does not have such advantage, nor can such advantage be obtained.

Accordingly, Applicants respectfully request the rejection under 35 U.S.C. § 103(a) be withdrawn.

In addition, attached hereto is a marked-up version of the changes made to the application. The attached page is captioned "Version with Markings to Show Changes Made."

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicant's attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

By: Lisa A. Bongiovi

Lisa A. Bongiovi

Registration No. 48,933

CANTOR COLBURN LLP

55 Griffin Road South

Bloomfield, CT 06002

Telephone (860) 286-2929

Facsimile (860) 286-0115

Customer No. 23413

January 15, 2003

IN THE CLAIMS:

Please amend claims 1, 11, and 19 in "marked up" format, as follows:

1. (Marked up/Amended) A method of distributing data to a user over a network, comprising the steps of:

inputting data stored in a device provided and returned by a user;

storing said data in a server computer connected to said network in association with a uniquely assigned address; and

transmitting said data to a terminal connected to said network when the user accesses said server computer from the terminal using said address,

wherein said device is a digital camera for rent.

11. (Marked up/Amended) A system for distributing data to a user via a network, comprising:

data input means for inputting data stored in a device provided and returned by a user;

storage means connected to said network for storing said data in association with a uniquely assigned address; and

processing means for searching said data stored in said storage means in response to an access by the user using said address and transmitting said data via said network to a terminal employed by the user,

wherein said device is a digital camera for rent.

19. (Marked up/Amended) An apparatus for distributing data to a user via a network, comprising:

means for storing data previously stored in a device provided and returned by a user, in association with a uniquely assigned address; and

means for receiving a data request using uniquely assigned said address and transmitting said data via said network to a terminal operated by the user,

wherein said device is a digital camera for rent.